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Counsel for Plaintiffs

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO**

IN RE: UBER TECHNOLOGIES, INC.,
 PASSENGER SEXUAL ASSAULT
 LITIGATION

This Document Relates to:

H.L. v. Uber Technologies, Inc., et al; 3:24-cv-04526-CRB

A.T. v. Uber Technologies, Inc., et al; 3:24-cv-05592-CRB

I.A. v. Uber Technologies, Inc., et al; 3:25-cv-00822-CRB

L.F. v. Uber Technologies, Inc., et al; 3:25-cv-01005-CRB

K.D. v. Uber Technologies, Inc., et al; 3:25-cv-01602-CRB

Halligan, Leah v. Uber Technologies, Inc., et al; 3:25-cv-02104-CRB

Case No.: 3:23-md-03084-CRB

Hon. Charles R. Breyer

**PLAINTIFFS' OPPOSITION TO
 DEFENDANTS' MOTION TO DISMISS
 CASES FOR FAILURE TO COMPLY
 WITH COURT ORDER**

Date: October 3, 2025

Time: 10:00 a.m.

Courtroom: 6 – 17th Floor

K.B. v. Uber Technologies, Inc., et al; 3:25-cv-02650-CRB

J.M. v. Uber Technologies, Inc., et al; 3:25-cv-02689-CRB

Dadej, Jakub v. Uber Technologies, Inc., et al; 3:24-cv-08785-CRB

J.P.F. v. Uber Technologies, Inc., et al; 3:25-cv-03289-CRB

J.M. v. Uber Technologies, Inc., et al; 3:25-cv-03364-CRB

Batterson, Vanessa v. Uber Technologies, Inc., et al; 3:25-cv-03378-CRB

V.M. v. Uber Technologies, Inc., et al; 3:25-cv-03591-CRB

Lugo, Crystal v. Uber Technologies, Inc., et al; 3:25-cv-03969-CRB

Donaldson, Breanna v. Uber Technologies, Inc., et al; 3:25-cv-03976-CRB

S.S. v. Uber Technologies, Inc., et al; 3:25-cv-04143-CRB

1. INTRODUCTION

On August 22, 2025, Defendants filed a Motion to Dismiss the claims of the above-listed Plaintiffs on the grounds that Plaintiffs have failed to comply with Pretrial Order (“PTO”) No. 10. [Document 3731]. PTO 10 establishes procedures and deadlines related to the production of Plaintiff Fact Sheets [Document 348].

II. ARGUMENT

A. Plaintiffs Jakub Dadej, Vanessa Batterson, V.M., Crystal Lugo, Breanna Donaldson, and S.S. are in full compliance with PTO 10.

Plaintiffs Jakub Dadej, Vanessa Batterson, V.M, Crystal Lugo, Breanna Donaldson, and

1 S.S. have now fully complied with PTO 10 by providing the missing documents identified in
2 Defendants' Motion. These cases should therefore be removed from consideration of
3 Defendants' Motion to Dismiss.

4 **B. Plaintiffs Leah Halligan and J.M. (3133) should not be dismissed, as they**
5 **previously provided the authorizations Defendants contend are missing, and**
6 **Defendants never notified them of the alleged deficiencies.**

7 Defendants state in their motion that Plaintiffs Leah Halligan and J.M. (3133) have failed
8 to produce required record release authorizations. However, the deficiency notices that
9 Defendants issued on these two plaintiffs did not state that a release was missing. In fact, both
10 Leah Halligan and J.M. (3133) had previously submitted record release authorizations through
11 MDL Centrality. Thus, Defendants' error is twofold; Defendants failed to identify and obtain
12 the releases that these plaintiffs submitted pursuant to PTO 10, and, even if these plaintiffs had
13 failed to provide releases, Defendants failed to issue a deficiency notice to that effect. Without
14 notice, Plaintiffs did not have the opportunity to cure the alleged deficiencies before
15 Defendants filed their motion. Therefore, these two cases should never have been included in
16 Defendants' Motion and should not be dismissed.

17
18 **C. Counsel is undertaking extensive efforts to bring Plaintiffs H.L., A.T., I.A., L.F.,**
19 **K.D., K.B., J.P.F., and J.M. (3298) into full compliance with PTO 10.**

20 Counsel has diligently attempted to produce all of the required discovery documents for
21 Plaintiffs H.L., A.T., I.A., L.F., K.D., K.B., J.P.F., and J.M. (3298). Unfortunately, as the Court
22 is aware, a Plaintiff may become unavailable for various reasons as litigation progresses.
23 Counsel has utilized extensive efforts to reach each of these Plaintiffs, predating the filing of
24 Defendant's motion. Counsel will continue these efforts and will provide the missing
25 documents for these plaintiffs immediately upon receipt. Plaintiffs' Counsel respectfully
26 request that this Court deny Defendants' Motion as to these plaintiffs and allow additional time
27 for Counsel to re-connect with these clients and obtain the required documents. This relief is
28

particularly warranted in light of Defendants' failure to meet and confer as noted below.

D. Defendants' failure to meet and confer with Plaintiffs independently warrants denial of its Motion to Dismiss.

Local Rule 37-1 requires Counsel to meet and confer in good faith before bringing a discovery motion. L. R. 37-1. Defendants' counsel failed to meet and confer with counsel for Plaintiffs Leah Halligan and J.M. (3133) about their alleged failure to comply with PTO 10 before filing this Motion to Dismiss, contrary to this Court's Local Rules. This failure independently warrants denial of Defendants' motion as to these Plaintiffs.

III. CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request that the Court deny Defendants' Motion to Dismiss.

Dated: September 4, 2025

Respectfully Submitted by:

/s/ Rachel Abrams

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CERTIFICATE OF SERVICE

I hereby certify that, on September 4, 2025, I electronically filed the following with the Clerk of the Court using the CM/ECF System, which will send notification of such filing via electronic mail to all counsel of record as maintained in the CM/ECF electronic system.

Dated: September 4, 2025

Respectfully Submitted by:

/s/ Rachel Abrams

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